

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

GREGORY ALLAN GEORGE,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-20-00108-JD
)	
WARDEN RICK WHITTEN,)	
)	
Respondent.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

On February 11, 2020, United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation on Petitioner Gregory Allan George's application for leave to proceed in forma pauperis [Doc. No. 5]. Judge Mitchell found that Petitioner had sufficient funds to prepay the \$5.00 filing fee and recommended that Petitioner's application be denied and that he be ordered to pay the full filing fee within twenty-one days of any order adopting the Report and Recommendation.

Petitioner filed an objection to the Report and Recommendation on March 9, 2020. [Doc. No. 8.] Petitioner does not dispute Judge Mitchell's findings regarding his ability to prepay the filing fee and indicates he is willing to pay the fee. He expresses concern, however, that prepayment now may prejudice him later if fees increase and he is then unable to pay. The possibility of *future* indigence is not a basis for in forma pauperis status. *See* 28 U.S.C. § 1915(a)(1). Accordingly, the Court **ADOPTS** Judge Mitchell's Report and Recommendation in its entirety and denies the application.

Plaintiff is **ORDERED** to pay the full \$5.00 filing fee to the Clerk of the Court within twenty-one days of this Order, or by April 2, 2020. Failure to do so will result in dismissal of this action without prejudice.

IT IS SO ORDERED this 12th day of March 2020.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", is written over a horizontal line.

JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE